



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,070	09/13/2000	Andrew T. Molitor	6880	7631

25763 7590 12/02/2002

DORSEY & WHITNEY LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
50 SOUTH SIXTH STREET  
MINNEAPOLIS, MN 55402-1498

EXAMINER

PHUNKULH, BOB A

ART UNIT	PAPER NUMBER
----------	--------------

2661

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/661,070

Applicant(s)

MOLITOR, ANDREW T.

Examiner

Bob A. Phunkulh

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2661

### DETAILED ACTION

This communication is in response to applicant's 09/16/2002 amendment/responses in the application of **MOLITOR** for "**METHOD AND APPARATUS FOR FACILITATING PEER-TO-PEER APPLICATION COMMUNICATION**" filed 09/13/2000. The amendments/response to the claims have been entered. No claims have been canceled. No claims have been added. Claims 1-44 are now pending.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagidate et al. (US 6128664), hereinafter Yanagidate.

Regarding claims 1, 15, and 30, Yanagidate discloses a network address translation device (an address-translating device 14) for facilitating message packet communication between a first application in a first address realm (terminal device 10a in a network 11) and a second application in a second address realm (terminal devices 12a or 12b in a network 12) comprising:

Art Unit: 2661

an address translator for translating an address valid in the first address realm into an address valid in the second address realm based on a translation rule and for translating the address valid in the second address realm into the address valid in the first address realm (an address translation table 14c);

an address manager for establishing the translation rule by associating the address valid in the first address realm with the address valid in the second address realm (IP address control table 14b, and host-name/private-address lookup table 14a); and

a control channel communicating with the address manager for receiving from the first application a service request message (an inquiry, SI in figure 6) for an address valid in the second address realm to be associated with a specified address valid in the first address realm and for providing the first application access (S4, S7, S12, in figure 6) to the requested address valid in the second address realm to facilitate the first application's communication of the address valid in the second address realm as message packet data to the second application (see figures 1 and 2, and col. 2 line 33 to col. 3 line 14).

Regarding claims 2-3, 16-17, Yanagidate discloses the addressed requested by the first application is a terminating address or an originating address.

Art Unit: 2661

Regarding claims 4-5, and 18-19, the first address realm is an internal network or private network 12 and the second address realm is an external network or global internet address 11 (see figure 2).

Regarding claims 6, 20, 35, the address manager (IP address control table 14b and host-name/private-address lookup table 14a) establishes a translation rule by associating an address valid in the private network realm 12 with an address valid in the global internet address realms (see figure 2 and col. 2 line 33 to col. 3 line 14).

Regarding claims 9, 24, 39, Yanagidate discloses the communication facilitated is peer-to-peer communication. Newton's telecom dictionary defined the term "peer-to-peer" as communications between two entities that operate within the same protocol layer of a system. In Yanagidata, the communication between terminal 11 a and terminal 14a uses the same IP protocol layer (see figure 2).

Regarding claims 10-14, 25-29, 40-44 Yanagidate discloses the network translation device the address translation with a predetermined rule (col. 3 lines 44 to col. 4 line 12).

Yanagidate fails to disclose that receiving from the first application a service request message for the address valid in the second address realm to be associated with the internal address of the first application valid in the first address realm.

Art Unit: 2661

However, it would have been obvious to one having ordinary skilled in the art at the time of invention was made to initiate the connection request from a terminal of a private network 12 in Yanagidate in order to provides the private users with ability to access the public network (i.e. internet) without jeopardizing the private network security.

Regarding claim 7-8, 21-22, 36-38, Yanagidate fails to disclose establishing rules for translation of address information in an inbound message packet to occur in response to the presence or absence of specified originating address information in the message packet. Also, it should be noted that it is well known in the art that an IP packet comprises of at least a source address and a destination address in it header.

However, it would have been obvious to one having ordinary skilled in the art at the time of invention was made to check the source address of the incoming packet to determine whether the user have access to the private network or secure network -thus preventing hackers or unwanted users from gaining access to the private network.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 2661

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Any response to this final action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

(703) 305-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

**Or:**

(703) 308-5403 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Art Unit: 2661

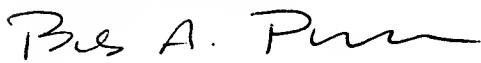
Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(703) 308-8251**. The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Douglas W. Olms**, can be reach on **(703) 305-4703**. The fax phone number for this group is **(703) 872-9314**.

Any inquire of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is **(703) 306-0377**.

**Bob A. Phunkulh**



November 27, 2002  
T.C. 2600  
Art Unit 2661



DOUGLAS OLMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600